



ppm

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAME^E INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/244,291	02/03/1999	STEPHEN LEWALLEN	ST9-98-083	3591

21127 7590 07/24/2003

KUDIRKA & JOBSE, LLP
ONE STATE STREET
SUITE 1510
BOSTON, MA 02109

[REDACTED] EXAMINER

HO, THE T

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

2126

DATE MAILED: 07/24/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/244,291	LEWALLEN, STEPHEN	
	Examiner The Thanh Ho	Art Unit 2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 May 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. Claims 1-30 have been examined and are pending in the application.
2. This action is in response to the request for reconsideration filed 5/13/2003.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atkinson U.S Patent No. 6,263,379 in view of Koppolu U.S Patent No. 6,460,058.

As to claim 1, Atkinson discloses a memory (memory, line 42 column 14), an existing directory service (user's home directory, line 34 column 27); a moniker object (a moniker, line 57 column 10) contains an identifier (an identifier object, line 57 column 10) that universally identifies (identify, line 58 column 10) an instance of the distributed object (the linked data, line 58 column 10) and a moniker name (path name, line 64 column 11). However, Atkinson does not explicitly teach substituting the moniker object for the distributed object.

Koppolu discloses a first stream object (BindToObject of IMoniker interface 124, lines 65-66 column 14) substitutes the moniker object (moniker 120, line 64 column 14) for the distributed object (named object 80, line 1 column 15) when the distributed

Art Unit: 2126

object is streamed out (line 64 column 14 to line 14 column 15) from the memory (40, Fig. 1) to the local storage (42, Fig. 1). It would have been obvious to apply the teachings of Koppolu to the system of Atkinson because this provides seamless navigation between multiple document types and applications in a given Internet browser as disclosed by Koppolu (lines 21-30 column 3).

As to claim 2, Koppolu further discloses the first stream object substitutes the moniker object for the distributed object when the distributed object is persisted (lines 36-65 column 33).

As to claim 3, Atkinson as modified further teaches a second stream object (IPersistStream, line 37 column 14) automatically substitutes a reference to the distributed object for the moniker object (lines 38-65 column 14) when the moniker object (a moniker, line 41 column 14) is streamed in from the local storage (from the persistent storage, line 42 column 14) to the memory (loaded into memory, line 42 column 14).

As to claim 4, Atkinson as modified further teaches the second stream object substitutes the moniker object for the distributed object when the distributed object is resurrected (lines 66 column 14 to line 21 column 15).

As to claim 5, Atkinson as modified further teaches life cycle services are provided by associating with the moniker object a predefined policy specifies how and when life cycle services are performed (CODE TABLE 4A, column 22).

As to claim 6, Atkinson as modified further teaches a life cycle services object (CreateGenircComposite, line 37 column 22) responds to the predefined policy by controlling the life cycle of the distributed object.

As to claim 7, Atkinson as modified further teaches a runtime repository includes a database (link 602, line 15 column 14) of moniker name-object reference pairs (CLSID_FileMoniker, and Q3.CHT, lines 17-18 column 14).

As to claim 8, Atkinson as modified further teaches a directory service factory object responds to the moniker name (invokes the function CreateInstance, lines 34-35 column 14) by instantiating a directory service adapter object (to create an instance of an object of class CFileMoniker, lines 35-36 column 14) for applying the moniker name to the existing directory service when the runtime repository does not contain the moniker name (lines 36-47 column 14).

As to claim 9, Atkinson as modified further teaches the distributed object is instantiated (it first instantiates a moniker object, lines 19-20 column 14) in accordance with an object model (of type CLSID_FileMoniker, lines 20-21 column 14); an object model adapter processes (requests the moniker to load its persistent data... lines 21-23 column 14) distributed objects.

As to claim 10, Atkinson as modified further teaches the object model adapter returns a reference to the distributed object together with a moniker object (requests the moniker to bind to the file indicated by the loaded data, lines 22-23 column 14) associated with the distributed object.

As to claims 11-20, note the discussions of claims 1-10 above, respectively.

As to claims 21-30, note the discussions of claims 1-10 above, respectively.

Response to Arguments

4. Applicant's arguments filed have been fully considered and they are persuasive.

Applicant argued that Atkinson reference does not teach substitution of the moniker object for another object (Remarks, last paragraph page 2 to line 6 page 3). In response, Atkinson reference was not used to teach this limitation.

Applicant argued that Koppolu reference does not teach substitution of the moniker object for another object (Remarks, first complete paragraph page 3). In response, Koppolu discloses (line 55 column 14 to line 14 column 15) two functions of moniker 120: BindToObject and BindToStorage which client can call to bind to object 80 wherein BindToStorage function instantiates the named object 80 onto an OLE storage stream. The reference meets the limitation as claimed.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 2126

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The Thanh Ho whose telephone number is 703-306-5540. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 746 – 7238
- OFFICIAL faxes must be signed and sent to (703) 746 – 7239
- NON OFFICIAL faxes should not be signed, please send to (703) 746 – 7240

Application/Control Number: 09/244,291

Page 7

Art Unit: 2126

TTH

July 23, 2003



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100